

M-09-1102

MKB:AEG

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

- against -

SARVJIT SINGH,

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

ERIC SILVERMAN, being duly sworn, deposes and says that he is a Special Agent with the Department of Homeland Security, Immigration and Customs Enforcement ("ICE"), duly appointed according to law and acting as such.

Upon information and belief, in or about and between July 2001 and May 2005, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant SARVJIT SINGH, together with others, did knowingly and willfully conspire to subscribe as true, under penalty of perjury under Title 28, United States Code, Section 1746, one or more false statements with respect to material facts in applications and other documents required by the immigration laws and regulations prescribed thereunder, and present one or more applications and other documents which contained false statements

TO BE FILED UNDER SEAL

COMPLAINT AND AFFIDAVIT
IN SUPPORT OF APPLICATION
FOR ARREST WARRANT

(T. 18, U.S.C. § 371)

with respect to a material fact and which failed to contain a reasonable basis in law and fact, all in violation of Title 18, United States Code, Section 1546(a).

(Title 18, United States Code, Sections 371 and 3551 et seq.).

The source of your deponent's information and the grounds for his belief are as follows:¹

1. In the course of an ongoing visa fraud investigation, another ICE agent and I interviewed an individual ("CLIENT #1") who was present in the United States without legal status. CLIENT #1 reported that he had entered the United States in 1997. He further reported that in 2005, he visited a law office located at 74-09 37th Avenue, Suite 405, Jackson Heights, New York (the "LAW OFFICE"). At the office he met the defendant SARVJIT SINGH. CLIENT #1 told the defendant that he had entered the United States in 1997.

2. CLIENT #1 reported that the defendant told him that he could apply for temporary resident status pursuant to Section 245A of the Immigration and Nationality Act. At the time, under Section 245A, an alien who met certain requirements, including having entered the United States prior to January 1,

¹ Because this affidavit is being submitted for the limited purpose of establishing probable cause, I have not set forth every fact learned during the course of this investigation.

1982, and resided continuously in the United States until November 6, 1986, without official immigration status, could apply for legal permanent residency without prejudice. The defendant told CLIENT #1 that his Section 245A application would falsely claim that CLIENT #1 met the requirements of Section 245A.

3. CLIENT #1 reported that he later returned to the LAW OFFICE and, with the assistance of another employee of the office, completed a Section 245A application that falsely claimed that CLIENT #1 had entered the United States prior to January 1, 1982. CLIENT #1 then met the lawyer who ran the LAW OFFICE ("LAWYER #1"), and CLIENT #1 and LAWYER #1 signed the application.

4. The Section 245A application for CLIENT #1 was filed with U.S. Citizenship and Immigration Services on or about May 25, 2005.

5. Later in the visa fraud investigation, another ICE agent and I interviewed another individual ("CLIENT #2") who was present in the United States without legal status. CLIENT #2 reported that he had entered the United States in 2000. He further reported that in 2005, he visited the LAW OFFICE. At the office he met the defendant. CLIENT #2 told the defendant that he had entered the United States in 2000. Singh told CLIENT #2


that he could nonetheless file a Section 245A application. Singh and another employee of the LAW OFFICE completed a Section 245A application for CLIENT #2 that falsely claimed that CLIENT #2 had entered the United States prior to January 1, 1982. CLIENT #2 signed the application.

6. The Section 245A application for CLIENT #1 was filed with U.S. Citizenship and Immigration Services on or about May 4, 2005.

7. On October 26, 2009, I and others interviewed the defendant. The defendant reported that he and LAWYER #1 worked together to prepare and file fraudulent Section 245A applications on behalf of clients whom SINGH and LAWYER #1 knew did not meet the requirements of Section 245A. The applications SINGH and LAWYER #1 prepared and filed nonetheless falsely asserted that these clients met the requirements of Section 245A.

8. The defendant reported that he had assisted in the preparation and filing of fraudulent Section 245A applications on behalf of CLIENT #1 and CLIENT #2, among other clients.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued for the defendant SARVJIT SINGH, so that he may be dealt with according to law.



ERIC SILVERMAN
Special Agent
Immigration and Customs Enforcement

Sworn to before me this
6th day of November, 2009

HON. ANDREW L. CARTER, JR.
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK